

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRICKLAYERS PENSION TRUST FUND -
METROPOLITAN AREA, et al,

Plaintiffs,

CIVIL ACTION NO. 06-10483

v.

HON. PAUL D. BORMAN

G. & R. MASONRY INC., a corporation
incorporated under the laws of the State of
Michigan.

Defendant.

FILED

NOV 22 2006

CLERK OF COURT
U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

JUDGMENT

At a session of said Court, held in the City of Detroit, in the
Theodore Levin U.S. Courthouse, on 11-22-06

HON. _____

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Based upon Plaintiffs' Motion for Summary Judgment with Brief and Supplemental Brief and Affidavit filed in support thereof; and the pleadings previously filed in this matter; the Court has concluded that, under to FRCP 56, Plaintiffs Bricklayers Funds¹ and Bricklayers Union² are entitled to Judgment against Defendant G & R Masonry, Inc. for the relief prayed for in Plaintiffs' Motion:

¹ Specifically the Plaintiffs Bricklayers Pension Trust Fund - Metropolitan Area; the Bricklayers and Trowel Trades International Pension Fund; the Bricklayers and Trowel Trades International Retirement Savings Plan; the Bricklayers Holiday Trust Fund, Metropolitan Area; the Trowel Trades Health and Welfare Fund, Detroit and Vicinity; the Bricklayers International Masonry Institute; and the Detroit Metropolitan Masonry Joint Apprenticeship and Training Committee.

² Specifically, the Plaintiffs International Union of Bricklayers and Allied Craftworkers and International Union of Bricklayers and Allied Craftworkers, Local 1

Accordingly, **IT IS HEREBY ORDERED AND ADJUDGED:**

A. That Defendant G & R Masonry, Inc. is contractually obligated to plaintiffs Bricklayers Funds and Bricklayers Union pursuant to the collective bargaining agreements it entered into with the Bricklayers Union;

B. That Judgment is entered for Plaintiffs Bricklayers Funds and Bricklayers Union against Defendant G & R Masonry, Inc. in the amount of \$215,468.31, and these Plaintiffs are entitled to execution thereon³;

C. That Plaintiffs Bricklayers Funds and Bricklayers Union are entitled to their reasonable attorneys fees and costs incurred in bringing and prosecuting this present action pursuant to Section 502(g)(2) of ERISA, 29 USC §1132(g)(2); and

D. That Count 2 of this Complaint is dismissed without prejudice and without costs and attorneys' fees to any party.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

³ Representing the following:

\$142,637.92	(in contributions and deductions owed)
22,123.70	(in liquidated damages resulting from these delinquent contributions)
<u>50,706.69</u>	(in late charges resulting from prior delinquent payments).
\$215,468.31	(Total)